

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Criminal No. 08-162 (1) (RHK/RLE)

Plaintiff,

ORDER

v.

David Leroy Rehm,

Defendant.

Before the Court are Defendant's Objections to the July 7, 2008, Report and Recommendation of Chief Magistrate Judge Raymond L. Erickson in which Judge Erickson recommends the denial of Defendant's Motion to Suppress Search and Seizure. The Objections have been briefed by the parties and the Court has read a transcript of the June 18, 2008 hearing on the subject Motion.

Having conducted a de novo review of the objected to portions of the Report and Recommendation, the Court concludes that Judge Erickson's recommended disposition of the suppression motion should be upheld, as it is fully supported by the factual record and controlling legal authorities. Accordingly, and upon all the files, records and proceedings herein, **IT IS ORDERED:**

1. The Objections (Doc. No. 43) are **OVERRULED**;
2. The Report and Recommendation (Doc. No. 40) is **ADOPTED**; and

3. The Motion to Suppress Search and Seizure (Doc. No. 25) is **DENIED**.

Dated: August 4, 2008.

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge